

## PHILLIPS SPURNED BY WIFE.

O'CONNOR, SHOT AFTER TRYING TO KISS HER, WONT DIE.

Woman Married 34 Years Wears Theatre Costume in Court—Eight Shots Fired—Hunch of Keys Saved Husband's Life—Says O'Connor Hegan the Shooting.

William O'Connor, the young real estate man who was shot Monday night by old Mrs. Phillips in a pistol duel over the alleged infidelity of her husband, died yesterday of wounds received in the shooting. The bullet missed the jugular vein and made a flesh wound, which is not at all dangerous. Eight shots were fired in the affair, and the Phillips front hall looks like a dance hall after a cowboy raid. Mr. and Mrs. Phillips are out on bail.

The loungers and officials of the Yorkville court saw the remarkable spectacle yesterday of an elderly woman before the bar, dressed in the searching light of the morning, in a frivolous, young-girl red theatre gown and fancy hat, appearing in defence of a young man who might have been her son, but wasn't.

Mrs. Phillips spent the night in jail. She wouldn't be bailed out, because "her Will" was suffering, and all her thoughts were for him, not for the little gray-whiskered husband, 70 years old, who had just punctured Will with a pistol bullet. Once in the night they told her that the young man lying at Bellevue was delicious.

"The poor, dear boy!" she said. "Did he call for me?"

When they told her that he did, she threw kisses in the air toward Bellevue, saying: "The dear boy! You know, I am just like a mother to him!"

This cradle-to-grave affair is a matter of six months standing, according to Phillips. It has appeared, he says, like a kind of infatuation on both sides. Phillips has made himself disagreeable several times before, and trouble was about due. Perhaps that is why both men were armed and ready to begin shooting when the clash came on Monday night.

Mrs. Phillips tottered into court on high-heeled slippers and dropped an elaborate furboa wrap from her shoulders as she took her seat. Phillips already sat close by. She cast a lightning look on him and edged away to the further side of her chair. Until she left the court she refused to look in his direction again. She doesn't appear to own the 64 years which her husband lays to his credit, but her face and her girlish clothes do.

She told her story of the affair without any hesitation. After the argument in the hall caused by O'Connor trying to kiss her—she admitted the kiss—her husband stood at the head of the stairs and opened fire, she said. O'Connor began to shoot back, and she got out of range. When she recovered she went out and took care of "Will" until the police came. They were found in O'Connor's office at 35 Lexington avenue, where she was taking care of his wounds.

"Take that man away from me, don't let him come near me!" she said as she saw her husband on the way to the rail. Phillips did not testify, but he told his story freely.

"That man has pursued my wife for six months," he said. "He has followed her everywhere. I took her to several places this summer, but he'd always find where we were and show up."

Mr. Phillips did not say why he hadn't protested before. Perhaps the fact that O'Connor is six feet tall and he only an inch or two over five may have something to do with it.

"When I knew they were going to the theatre together last night," he said, "I went out myself, but returned first. They came in very late. I went to the head of the stairs. He was making love to her. I saw him kiss her. I went to him and told him what I thought. He said to her: 'Will you come along with me?'"

"She said she would as soon as she got her clothes, and went toward her room. I stopped her. I only put my hand on her arm, but she yelled."

"The door is shut," he said. "Then O'Connor rushed at me and began to shoot. She ducked into her room before he opened fire. I shot back until I stopped him."

As the condition of her pistols showed, Phillips fired three shots and O'Connor emptied his five. Phillips said that he himself was saved only by a bunch of keys which deflected a bullet was proved by a hole in his clothes and a dent in the wall.

My wife says that I shot first," said Phillips, "but she couldn't have seen who shot first. She was in her room."

Phillips was in a room at 35 Lexington avenue and Mrs. Phillips in 3200 ball as a waitress. The case was then held over until Friday to await the outcome of O'Connor's wound.

When the Magistrate was through with her, Mrs. Phillips drew on her white opera gloves, adjusted her hair and went to her room to deposit cash bail. On the way out she met her husband, in tow of a policeman. He tried to speak to her, but she pulled abruptly away from him.

"Officer, keep that man away," she said. Phillips didn't try to force any more attentions on her. Later in the day, his attorneys, Howe & Hummel, got bail for him.

There is a financial tangle in the case. The greater part of the family savings are in Mrs. Phillips' name. She has invested in real estate, rather against her husband's wishes. When he got severe with her she used to threaten to keep the family income. O'Connor helped her to place some of the investments. This, say some of Phillips' friends, may have something to do with the infatuation of a handsome young man of 26 for a wife of 64.

A. H. Hummel, of Phillips' counsel, says that the trouble has been brewing for some time. Phillips has frequently advised his attorneys of the situation in the family and asked what he ought to do about it. The chief of his troubles seemed to be that Mrs. Phillips appeared to be to be pursued by O'Connor. He protested, and forbade O'Connor the house, but O'Connor came, anyway, and Mrs. Phillips received him.

"It is to be pitied, for she has had him in great trouble," said Mr. Hummel. O'Connor lay all day yesterday at Bellevue, and refused to talk about the case. He sent word to the clerks at his real estate office, 135 Lexington avenue, to give no information about him and his affairs. To a doctor who attended him he said that he had fired five shots and his opponent three. He was shot in front. He wouldn't say who fired first. His mother and sister, who live at Twenty-third street and Surf avenue, Coney Island, were with him part of the afternoon.

Mrs. Phillips drew a sigh of heavenly relief when she heard that "Will" was going to recover.

## ESTERBROOK'S Steel Pens

Established 1890 150 Varieties

The Best Pens Made

Gold Everywhere

## LIVE TOPICS ABOUT TOWN.

"You've heard of an acquired taste," said the man in the drug store, "but maybe you've never heard attention called to an acquired smell. Well, I'm acquiring some. For instance, I used to dislike the smell of carboic acid. I have acquired a smell for it and now I positively like it. I can say the same of witch hazel and camphor and a lot of other acquired smells. The most satisfying are those lacking anything in the nature of a cloying sweetness."

An inexperienced election inspector can make a lot of trouble. In one of the election districts uptown the registry officers were kept at work straightening out Friday's registration until 8 o'clock on Saturday morning, putting in just twenty-five hours of continuous work. One of the inspectors had entered the names of those who registered that day in the wrong book. The mistake was not discovered till after midnight, and the inspectors didn't get out of the booth till the second day of registration was on them before they had finished up the first.

"It's the first day of my life in New York," pleaded a truck driver accused in one of the police courts the other day of keeping to the wrong side of the road, "and I didn't know the rules here."

"Where did you come from?" asked the Magistrate.

"Brooklyn," confessed the prisoner. "That is worse than Philadelphia," remarked the Magistrate sympathetically, "and the discharge of the unfortunate man without benefit of clergy."

Evidently a hard winter with considerable snow is expected this year. One evening last week the trolley cars in Greenpoint avenue, Brooklyn, were held up for more than twenty minutes by a truckload of children's sleighs, which got stalled on the track, and so heavy that the two horses could not get it started. After a long delay the horses from another truck also loaded with sleighs, were hitched in front and the united efforts of the four horses got the truck moving.

There were more than a thousand sleighs in the two loads and they were only part of a consignment to one of the department stores across the river.

"This is the dullest time of the year for this business," said a moving van man. "The law requires that a voter must reside thirty days in his district previous to election, so most men to save their vote will stay in their present quarters. Things are so slow that I have laid off nearly all my men till after election."

On almost any fine day may be seen outside a Sixth avenue store a serried rank of empty baby carriages. The babies are presumably inside with their shopping mothers.

"If the babies are as much alike as the carriages are," remarked an old bachelor, "it's the Lord's own wonder that they don't get hopelessly mixed up with their mothers when they're rushing the bargain counter."

"What some men don't know would fill a book!" snapped a red faced woman with a baby in her arms who overheard the remark.

The real estate records soon to be housed in the handsome new hall in Chambers street have not always been even so well housed as they are in the Morton building, their present temporary home. They have been moved about a good deal, but the queerest resting place they have occupied was the island in the Collect.

The big Collect, the busy centre of Newark, which occupied the hollow near the centre of which the Criminal Courts Building and the Tombs now stand. It was not filled in until after the war, and the island was a small island. Originally it had been used as a place of refuge for the Indian squaws and children in times of danger. In 1728 all the city records were hidden on this island. It is due to such care that the city possesses such complete records of its growth.

**OBITUARY.**

Police Sergeant William Loftus of Newark died at his home in South Tenth street yesterday of diabetes. He was on duty until Saturday night, when he was taken to his home. He was a man of exceptional good sense, and a keen sense of humor. He went on the force as a policeman in 1888, and in 1890 was detailed to take care of the Four Corners, the busy centre of Newark. There he made the acquaintance of everybody, but the dust from the pavement injured his eyes and he was detailed to the Free Public Library until he got his appointment as a roundsman.

While on the street he picked up Charles Becker, the noted forger, and James Crozier, his partner, who, in 1890, were indicted by the Pinkertons for raising a check from \$22 to \$22,000. The chief of his troubles seemed to be that Mrs. Phillips appeared to be to be pursued by O'Connor. He protested, and forbade O'Connor the house, but O'Connor came, anyway, and Mrs. Phillips received him.

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Mrs. Phillips is a brother of the late Morris Phillips, one of the founders of the Home Journal, and is now in the publishing business. He was killed in a terrible fire at the office of the Home Journal and other looks. For several years he has lived in comparative retirement. He married thirty-four years ago.

The couple had two children, both of whom are dead. One, a boy of fifteen or sixteen, was accidentally shot by his roommate at a military academy near Peekskill.

Stanchfield Says the State's for Herick. John B. Stanchfield, who has been speaking in many sections of the State, was in this city yesterday. He said: "If this were not a Presidential year the plurality of Judge Herick for Governor would, I am confident, reach 250,000."

\$14,000 Quarantine House for Babies. Plans were filed in the Building Bureau yesterday for a two story quarantine pavilion to be built for the New York Infant Asylum in its grounds at Amsterdam avenue and Sixty-first street. Its cost is put at \$14,000.

## MIDNIGHT CALLS TO DEAREST

AND REMARKS ON IMPROPRIETY AT THE WOMAN'S HOTEL.

Why the Telephones Are Back in the Store Rooms and What a Trumpet Voice Said to Loudness in the Small Hours—Note on the Great Kitten Scandal.

The telephone girls at the Hotel Martha Washington were put in storage yesterday, not necessarily cold storage, as one of the guests explained, "because anything quite so fresh is not likely to spoil on the management's hands," but into the hotel's store rooms, where they are out of the way, they went.

The incarceration was precipitated by a transient placed in a room next to a hall telephone receiver. "You're not a respectable woman," cried the transient, throwing open her door and confronting in night gown and with eyes ablaze under a mop of dishevelled hair a startled Miss Permanent comfortably seated at the receiver. "No respectable woman, I tell you, will be found at this hour calling up Tom, Dick and Harry. It's 12 o'clock. I want to sleep, and if you don't hang up that thing and stop your gabbling we'll see who's running this hotel."

Simultaneously on a lower floor was equal vigorous protest. "I am all alone, dearest," said a voice at the phone, a voice which for a bad quarter of an hour had got upon the nerves of more than one sleepy neighbor.

"No, you're not alone, not by a halfpenny," came in a trumpet voice from a room at the further end of the corridor. "We've been kept awake the whole night by your infernal chatter. If you don't let up and go to bed I'll cut the wire."

In consequence of these incidents and many complaints, Manager Calwell has moved the receivers from the odd to the even floors and placed the instruments and the telephone girls in the store rooms at the end of the hall.

The great telephone question has quieted for the time being the rumpus raised by the discovery that an ex-Baroness, owner of an Angora cat, was raising kittens in her room. It is the first feline delivery in the hotel's history, and the guests have been wondering how it can be tolerated in such restricted quarters as the Baroness occupies.

Revolt against the American dining room at the hotel has reached such a point that the manager is reported to have said that this institution will soon be abandoned and the space turned into bedrooms, thus forcing the guests to eat in the café or outside of the hotel. Since the rise in room rent on Sept. 1 every one is practically saying transient rates, and a corresponding rise in dining room prices is sending many of the boarders to the neighboring cheap restaurants.

## FREIGHT STEAMSHIP LOST.

The Massachusetts From Cardiff Reported Sunk Off the Bahamas.

TAMPA, Fla., Oct. 25.—The captain of the Spanish steamship *Ontanda*, which arrived to-day, reports the loss of the steamship *Massachusetts* of the International Mercantile Marine Company. On the afternoon of Oct. 20, while off Stirrup Key, the *Ontanda* was approached by an *Amel*, one two masted schooner with flag at half mast. The schooner asked the *Ontanda* to report upon arrival at port the loss of the *Massachusetts*, the wreck having occurred seventeen miles north of the Old Bahama Channel.

The name of the schooner reporting the wreck is not known. It made no mention of the loss of the *Massachusetts*, but was bound from Cardiff, England, to New Orleans and consigned to the Leyland Line at the latter place. It sailed on Oct. 1. The vessel was of 7,918 tons gross and 5,131 tons net register.

New Orleans, Oct. 25.—A. J. Sanders, agent of the Leyland Line, admitted to-day that the *Massachusetts* was now five days overdue. Mr. Sanders, however, has received no advice indicating the loss of the ship, except through New York agents of the line. At the Maritime Exchange it was said that despatches had been sent to various places along the Florida coast, but the replies say that nothing has been seen or heard of the ship.

The *Massachusetts* was on her second trip to New Orleans. She has a capacity of 25,000 barrels of cotton and is a brand new vessel. Mr. Sanders said it might be that the vessel was delayed because she used only one engine on her present trip.

WASHINGTON, Oct. 25.—The Navy Department to-day received despatches from the International Mercantile Marine Company, stating that the steamer *Ontanda*, arriving at Port Tampa, reported the loss of the *Massachusetts*. The company despatch a vessel to the rescue of the *Massachusetts*. Communication by cable with Nassau is interrupted. The Department has directed Capt. Nicholson of the cruiser *Taomas*, at San Juan, to go in search of the steamer. The *Massachusetts* carries a crew of sixty men.

**WOMAN AND HER NEWSPAPER.**

Who Buys It and What She Reads in It.—Revelations by Political Studies.

The Woman's Society for Political Study, composed of women interested in all the world's affairs or does in regard to the burning question the political rights of women, held its second meeting of the season in Genealogical Hall, in West Fifty-eighth street, yesterday afternoon. These meetings are held every week and a paper is read at each meeting.

Mrs. Charles Goldizer, who comes from Bayonne, N. J., read a paper yesterday on "The Influence of the Press." The paper contained this pregnant sentence in regard to the component parts of a newspaper and the persons each affects:

"Its pictures delight the child, its advertisements the mother and its news the father."

In the discussion which followed the paper, Mrs. L. S. Smith, president of the club, remarked with some trace of scorn that she did not read the newspapers, but that she did read the *Woman's Journal*, which she said was the only newspaper for the woman.

"How about the fashions?" asked some one. "I never look at 'em," was the stern answer. "Madame President," waited a member, "if you had thirteen different servants in three months as I have, I guess you would read one class of advertisements pretty regularly."

Sympathetic sighs stirred the feathers of all the assembled bonnets as the member said down. "How many of you buy your own papers?" some one asked. Two hands went up. "How many of you depend upon your husbands to buy them?" continued the questioner. The hands of every other woman in the audience went into the air.

"That proves it," continued the speaker, "if newspapers depended on women to support them they'd all fall to-morrow. Women are the pauper sex, and not until the emancipation of our race will yellow journalism and the terrors of war cease."

ALBANY, Oct. 25.—Court of Appeals calendar for to-morrow: Nos. 49, 61, 66, 823, 833, 855, 67 and 820.

## WALTHAM WATCHES

1854-1904

HAVE STOOD THE TEST OF TIME.

"The Perfected American Watch," an illustrated book of interesting information about watches, free upon request.

AMERICAN WALTHAM WATCH COMPANY, WALTHAM, MASS.

"RIVERSIDE" grade especially recommended.

ALBANY, Oct. 25.—For a time it was thought that the Mathews grocery store at Newburgh was the only concern of which a prominent State officer was a stockholder and which was selling goods to State institutions. Recently it has become known that another State officer, John P. O'Brien of Plattsburg, the Secretary of State, and now a candidate for reelection, has been selling coal to the State prisons at Sing Sing, Nanapanoch, Auburn and Dannemora, and that in the last two years, while he has been serving as Secretary of State, he has sold more than \$100,000 worth of coal to these prisons.

In the years 1901-02, when Mr. O'Brien was a Member of Assembly, he sold \$94,000 worth of coal to the State prisons, or a total of nearly \$200,000 in the last four years.

Inquiries regarding prison coal supplies were suggested recently, when it was learned that the Dock and Coal Company of Plattsburg was the only bidder for supplying coal to the State Hospital for Consumptives at Raybrook. The "company" is in reality a partnership composed of the Secretary of State and George C. Kellogg of Plattsburg, the Secretary of State getting the business and Mr. Kellogg attending to the details.

It developed that State Fiscal Supervisor Bender in solidifying bids for coal for this institution, confined the bidders to "Lackawanna" coal, which is the name of the coal dealt in by the Dock and Coal Company of Plattsburg, or in other words, the Secretary of State and his partner.

When the fiscal supervisor through the superintendent of the hospital, forwarded the coal contract to Howard Townsend of New York city, the president of the board of managers of the Raybrook institution, it was already signed by Secretary of State O'Brien and his partner, Mr. Kellogg.

Mr. Townsend refused, however, to sign the contract because, he said, as drawn it did not protect the interests of the State and the contractor could put in almost any grade of coal he chose, for which the State was to pay \$4.70 a ton.

Mr. Townsend's explanation, however, seems rather odd when it is found that Mr. O'Brien's company, which is located at Plattsburg on the shores of Lake Champlain, has been furnishing coal to Sing Sing Prison, which is thirty-three miles from New York city and to Auburn Prison, which is several hundred miles from Mr. O'Brien's establishment at Plattsburg. Mr. O'Brien's firm also has been trying to furnish all the coal to the State prison at Nanapanoch, which uses some 3,000 tons a year. His hope, thus far deferred, he expects to see consummated should the O'Brien candidate for Governor be successful at the coming election. He has been able to furnish only about 250 tons to Nanapanoch thus far.

## TO FIX PEACE MEETING DATE.

WASHINGTON, Oct. 25.—With a view to fixing a time and place for holding a conference of the Powers concerned in the Hague Peace Conference, the State Department to-day sent instructions to its representatives abroad to ascertain the date that would be most acceptable to the signatory Powers, and to ask whether the Hague would be acceptable to all as a place for holding the new conference. When the convenience of the various Governments is accommodated, the call for the conference promised by the President will be issued by him.

**NAVY ORDERS.**

WASHINGTON, Oct. 25.—These navy orders have been issued: Commander Lucien Young, to command the Benbow; Commander Kossuth Niles, from command of the Benbow, to command the Boston; Commander J. Hubbard, from command of the Boston, to command the Benbow; Lieutenant-Commander R. M. Mulligan, from command of the Benbow, to command the Benbow; and R. White, from the Missouri to the Kearsarge.

**Court of Appeals Calendar.**

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**Court Calendars This Day.**

Supreme Court—Special Term—Part I.—Motion calendar called at 10:30 A. M. Part II.—Ex parte calendar called at 10:30 A. M. Part III.—Motions calendar called at 10:30 A. M. Part IV.—Motions calendar called at 10:30 A. M. Part V.—Motions calendar called at 10:30 A. M. Part VI.—Motions calendar called at 10:30 A. M. Part VII.—Motions calendar called at 10:30 A. M. Part VIII.—Motions calendar called at 10:30 A. M. Part IX.—Motions calendar called at 10:30 A. M. Part X.—Motions calendar called at 10:30 A. M. Part XI.—Motions calendar called at 10:30 A. M. Part XII.—Motions calendar called at 10:30 A. M. Part XIII.—Motions calendar called at 10:30 A. M. Part XIV.—Motions calendar called at 10:30 A. M. Part XV.—Motions calendar called at 10:30 A. M. Part XVI.—Motions calendar called at 10:30 A. M. Part XVII.—Motions calendar called at 10:30 A. M. Part XVIII.—Motions calendar called at 10:30 A. M. Part XIX.—Motions calendar called at 10:30 A. M. Part XX.—Motions calendar called at 10:30 A. M. 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